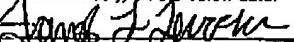


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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling 11 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: January 18, 2007 Name: Janet L. Lewske Signature: 

**BRINKS  
HOFER  
GILSON  
& LIONE**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Andrew Graham, et al.

Appln. No.: 10/533,215

Filed: April 28, 2005

For: NON-VOLATILE MEMORY CELL,  
MEMORY CELL ARRANGEMENT AND  
METHOD FOR PRODUCTION OF A NON-  
VOLATILE MEMORY CELL

Attorney Docket No: 10808-230

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attached is/are:

- Election and Amendment  
 Return Receipt Postcard.

## Fee calculation:

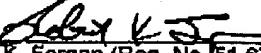
- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_ -month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- A check in the amount of \$ \_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$ \_\_\_\_\_. (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 19, 2007  
Date  
Robert K. Fergan (Reg. No. 51,674)BRINKS HOFER GILSON & LIONE  
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

**BRINKS  
HOFER  
GILSON  
& LIONE**

JAN 19 2007

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Attorney Docket No: 10808-230

Examiner: Cuong Quang  
Nguyen

Art Unit: 2811

## ELECTION AND AMENDMENT

Responsive to the restriction requirement mailed October 19, 2006, Applicant hereby traverses the examiner's restriction and provisionally elects Group I, claims 1-13, directed to a semiconductor device.

Pursuant to 37 C.F.R. §1.121, this paper includes the following additional parts:

- I. Listing of Claims, beginning on page 2; and
- II. Remarks, beginning on page 7.

Applicant notes that the Transmittal to which this paper is attached includes a Certificate of Facsimile under 37 C.F.R. §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.